

In the United States Patent and Trademark Office

Applicants: Milanovich, N.

Examiner: Macpherson, Meaghan E.

Serial No.: 10/811,724

Art Unit: 3732

Filing Date: March 29, 2004

Confirmation No.: 1411

For: Dental Whitening Method

Attorney Docket No.: 7095-00-OC

RENEWED PETITION UNDER 37 C.F.R. § 1.137(b)

MAIL STOP PETITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

In response to the Notice of Abandonment mailed on February 19, 2008, and the subsequent Decision on Petition mailed on December 24, 2008, in connection with the above-referenced patent application, Applicants respond through their attorney as follows.

Applicants appealed an Office Action mailed August 2, 2006. Applicant filed a Notice of Appeal on November 2, 2006 and an Appeal Brief on January 3, 2007. No response to the Appeal Brief was received, nor was a response to the Appeal Brief found on the Public PAIR system. A Non-Final Office Action was mailed to Applicant on May 18, 2007, purporting to withdraw the Office Action of August 2, 2006, based on new rejections. Applicant did not respond to the Office Action of May 18, 2007. A Notice of Abandonment by the Office was mailed on February 19, 2008. Subsequently, Applicant filed a Petition under 37 C.F.R. § 1.137(b) on February 25, 2008, to revive the instant application. On December 24, 2008, the Office dismissed the Petition on the grounds that the submission did not include a response to the outstanding Office Action.

At no time did Applicants intend to abandon this application. The entire time period between the abandonment of the application and the present Renewed Petition was unintentional.

A bona-fide response to the Office Action of May 18, 2008, is submitted herewith, in satisfaction of the requirements of 37 C.F.R. § 1.137(b).

In view of the remarks herein, Applicants respectfully request renewed consideration and the grant of their Petition to Revive. The Commissioner is authorized to charge any required fee and any additional fees due or credit any overpayment to deposit account number 03-2455.

Respectfully submitted,

MILANOVICH et al.



Date: January 15, 2009

By: Donald L. Traut

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